

### REMARKS/ ARGUMENTS

In response to the Office Action mailed October 21, 2003, Applicants respectfully request that the Examiner reconsider his rejection of the claims.

Claims 1-19 remain.

Claims 1, 10 and 15 are being amended.

Claims 1-19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Heo* (U.S. Patent 6,167,192) (hereinafter "the *Heo* reference"). Applicant respectfully traverses these rejections.

Anticipation rejections under 35 U.S.C. § 102(b) require identity of invention. In other words, the Examiner has the burden of identifying, *prima facie*, each and every feature of each and every claim rejected as anticipated in a single prior art reference. The Examiner has failed to meet this burden with regards to the anticipation rejections of Claims 1 – 19.

Specifically, the *Heo* reference does not teach audio decoding apparatus and methods utilizing a buffer for storing at least two channels of audio data in corresponding first and second buffer portions, and in which the size of the first and second buffer portions differs in proportion to the decode time of a selected one of the channels of audio data. In other words, the *Heo* reference does not disclose a dynamic buffer. The *Heo* reference, in contrast, only discloses, in FIGURE 11 cited by the Examiner, a static system in which audio data and extended audio data are stored in separate buffers 12 and 13 before concatenation into a third buffer 14. The *Heo* reference does not teach that the size of either buffers 12 or 13 is proportional to the decode time of at least one channel in a two channel system. Additionally, the *Heo* reference does not address the problem of reducing memory requirements at all.

No new matter has been added, and some of the claims have been merely amended to more particularly point out and distinctly claim the subject matter Applicants believe is inventive.

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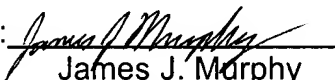
Applicants respectfully submit that the Claims as they now stand are patentably distinct over the art cited during the prosecution thereof.

With the addition of no new claims, no additional filing fees are due. However, Applicants respectfully request a One Month Extension of Time to File Response as reflected by the attached SB/22 EOT along with extension request fees in the amount of \$110.00 as attached to the SB/17 Fee Transmittal Sheet. Also, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account Number 23-2426 of WINSTEAD SECHREST & MINICK P.C.

If the Examiner has any questions or comments concerning this paper or the present application in general, the Examiner is invited to call the undersigned at (214) 745-5374.

Respectfully submitted,  
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